IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 21861 of 2005

Between:

1. J. Dayakar Reddy and two others

..... PETITIONERS

AND

1. The Government of Andhra Pradesh,

represented by its Secretary,

Revenue (Endowments) Department,

A.P. Secretariat, Hyderabad.

2. The Commissioner of Endowments,

Boggulkunta, Tilak Road, Hyderabad

3. The Executive Officer, Sri Lakshmi Narasimha Swamy,

Devasthanam, Yadagirigutaa, Nalgonda Dist.

.....RESPONDENTS

ORDER:

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For declaring the action of the first respondent in issuing the G.O.Ms.No.1123 Revenue (Endts.1) Department, dated 6.6.2005 and consequential orders in Rc.No.A1/2129/2003, Rc.No.A1/2130/2005 and Rc.No.A1/2895/2003, dated

19.06.2003 issued by the third respondent also for further orders issued in Memo No.19846/Endts(1)/2005, dated 25.07.2005 issued by the first respondent, as illegal and arbitrary, the present writ petition has been filed.

When the matter is taken up for hearing, the learned counsel for the petitioner submitted that the matter is squarely covered by the orders passed by learned Single Judge of this Court in W.P.No.19107 of 2005 and batch dated 9.9.2005.

Following the said judgment, the writ petition is disposed of with the following directions.

a. The Government of Andhra Pradesh, in its Revenue (Endowments) Department, shall issue notices immediately to the individuals, such of the writ petitioners, who are affected by the orders in G.O.Ms.No.1422, dated 25.07.2005, or any other orders or memos, canceling the orders of appointment, upgradation, promotions, or extension of the benefit of scales of pay, as the case may be, pointing out the grounds, on which it proposes to cancel, or interfere with such orders.

b. On receiving representations/explanations from the affected persons, in response to the show cause notices, the Government shall pass appropriate orders, latest by 31.10.2005. In case any of the affected employees does not cooperate with the enquiry, or it becomes impossible for the Government, to pass orders within the stipulated time, it shall be open to the Government, to file an application before this Court, seeking extension of time, in individual cases.

c. Till 31.10.2005, the present state of affairs shall continue. In case no orders are passed by the Government, by that date, the concerned employees shall be entitled for the benefit of appointment, promotion, upgradation, extension of benefit of scale of pay, as the case may be, without prejudice to the right of the Government to proceed further even thereafter.

d. Except in cases, where the appointments were made afresh, during that period, the affected employees shall be relegated to their earlier positions, which they occupied, but for the orders of promotion,

upgradation, or extension of benefit of scale of pay, as the case may be. If the orders that were cancelled by the Government were only those under which the tenure of contractual appointments were extended, the relevant contracts shall continue to be in force.

e. It is made clear that the arrangements made in this order shall be confined to those persons, who approached this court by filing writ petitions.

(K.C. BHANU, J)

Date: 06.10.2005

Note: Issue C.C. in two days.

B.O.

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